

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA :
vs. : CRIMINAL ACTION 10-267-KD
RONALD COUNSELMAN

ORDER

On February 7, 2011, Defendant's counsel filed a Second Unopposed Motion to Continue Trial (Doc. 18). As grounds for the motion, Christopher Knight, counsel for Defendant Ronald Counselman, stated that additional time is needed since the evidence, namely, a computer hard drive, is being kept in Montgomery, Alabama by the Alabama Bureau of Investigation, and still has not been produced to counsel for Defendant for his and his expert's review and analysis. Additionally, the ABI case agent has been reassigned which make it harder to accomplish such things. After consideration of the motion and conferring with counsel and the Government at the pretrial conference, the Court is persuaded that the ends of justice outweigh the best interests of the public and Defendant in a speedy trial. The Government has no objection to a continuance.

Accordingly, the Motion is **GRANTED** and the trial of this action is **CONTINUED** to the April 2011 criminal term, commencing with jury selection on April 4, 2011. Defendant is to file a

written waiver of his speedy trial rights **not later than February 14, 2011.**

The Clerk is **DIRECTED** to refer this action to the appropriate Magistrate Judge for his/her review and the scheduling of another pretrial conference.

DONE this 8th day of February, 2011.

s/BERT W. MILLING, JR.
UNITED STATES MAGISTRATE JUDGE